

REMARKS

The Office Communication of July 20, 2006 has been received and reviewed. Claims 20-28 are currently pending in the application and subject to an Election of Species. (See, Office Communication of July 20, 2006, at page 2). The Examiner has required election in the present application between a) partially alkyl-esterified styrene maleic acid copolymers, and b) polyethylene glycol derivatives. (*Id.*).

According to US practice, Applicants understand that they must elect a single species for further prosecution. However, once the Examiner finds allowable subject matter based upon the single species elected, the Examiner is required to then expand the search to include a reasonable number of additional species. As provided in the M.P.E.P. at § 809.02 and stated by the Examiner:

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

For the purpose of continuing prosecution of the present application, Applicants elect species a) partially alkyl-esterified styrene maleic acid copolymers. Applicants further state that claims 20-28 encompass this species.

The Examiner is advised that Applicants will be filing an IDS in the near future. The Examiner is requested to withhold action on the merits until after the IDS is filed.

Application No.: 10/531,580

Docket No.: 1752-0171PUS1

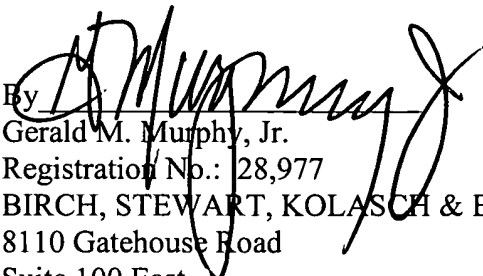
CONCLUSION

If the Examiner has any questions or comments, please contact Thomas J. Siepmann, Ph.D., Registration No 57,374 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 21, 2006

Respectfully submitted,


By
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